

Notice of Allowability

Application No.

10/764,391

Examiner

James F. Sugent

Applicant(s)

RICHMOND ET AL.

Art Unit

2116

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment After Non-Final received July 25, 2007.
2. ☒ The allowed claim(s) is/are 1-14, 16-20, 22 and 23 (re-numbered as 1-21).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20070919.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this Examiner's amendment was given in a telephone interview with Attorney Darien K. Wallace (Reg. No. 53,736) on September 19, 2007.

The application has been amended as follows:

- 10 • In re independent claim 11, starting on line 12 after "...has failed" insert:
 "and wherein the clock controller decouples the system clock input lead
 from the second clock circuit and couples the system clock input lead to
 the third clock circuit"
- Cancel dependent claim 15.
- 15 • In re independent claim 19, starting on line 14 after "...is inadequate"
 insert:
 "and wherein the means couples the system clock input lead to ground
 after decoupling the terminal from the system clock input lead and before
 coupling the second clock circuit to the system clock input lead"
- 20 • Cancel dependent claim 21.

DETAILED ACTION

This Office Action is sent in response to Applicant's Communication received July 25, 2007 for application number 10/764,391. The Office hereby acknowledges receipt of the following and placed of record in file: amended
5 claims 1-23 are presented for examination.

Response to Arguments

Applicant's arguments, see REMARKS, filed July 25, 2007, with respect to independent claim 1 have been fully considered and are persuasive. The
10 rejection of independent claim 1 has been withdrawn.

Allowable Subject Matter

Claims 1-14, 16-20, 22 and 23 are allowed.

The following is an Examiner's statement of reasons for allowance in re
15 independent claim 1: Applicant argues (see REMARKS, filed July 25, 2007) that Bongiorno (U.S. Patent No. 6,292,045 B1) (hereinafter referred to as Bongiorno) does not disclose "coupling a third clock circuit after decoupling a second clock circuit after coupling the second clock circuit after decoupling a first clock circuit." Having taken these arguments into consideration, the rejection (as noted
20 hereinabove) has been withdrawn. Furthermore, the above-argued limitation could not be found, either singularly or in combination, in further Examiner's search. Therefore, independent claim 1 and dependent claims 2-10 are deemed allowable.

Likewise, independent claim 11, after above Examiner's amendment, comprises similar limitations and is also deemed allowable. Further, dependent claims 12-14 and 16-18 are also allowed.

5 Likewise, independent claim 19, after above Examiner's amendment, comprises similar limitations and is also deemed allowable. Further, dependent claims 20, 22 and 23 are also allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled
10 "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to James Sugent whose telephone number
15 is (571) 272-5726. The Examiner can normally be reached on 8AM - 4PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Rehana Perveen can be reached on (571) 272-3676. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

20 Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public

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PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see <http://pair->

[direct.uspto.gov](http://pair-direct.uspto.gov). Should you have questions on access to the Private PAIR


system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-

5 free). If you would like assistance from a USPTO Customer Service

Representative or access to the automated information system, call (800) 786-

9199 (IN USA OR CANADA) or (571) 272-1000.

10 James F. Sugent
Patent Examiner, Art Unit 2116
September 25, 2007


JAMES F. TRWILLO
PRIMARY EXAMINER
TC 2100